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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

4

Application Number

10/824,741

Filing Date

April 15, 2004

First Named Inventor

John HRYN, et al.

Art Unit

1795

Examiner Name

Arun S. Phasge

Attorney Docket Number

0003-01269

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☒

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

Change of Correspondence Address

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Terminal Disclaimer

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Request for Refund

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CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

Applicant's Interview Summary  
Return Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Cherskov & Flaynik

Signature

Printed name

Michael J. Cherskov

Date

July 28, 2008

Reg. No.

33,664

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July 28, 2008

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**PATENT**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Hryn, et. al.  
Application: ELECTRODIALYSIS OPERATION WITH BUFFER SOLUTION  
Serial No.: 10/824,741  
Filing Date: April 15, 2004  
Examiner: Arun S. Phasge  
Art Unit: 1795  
Conf. No.: 7059  
Case No.: 0003/01269

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, pursuant to 37 C.F.R. §1.8 addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on, July 28, 2008.

Marilynn Oleck  
Name of Representative

*Marilynn Oleck*  
Signature of Representative

July 28, 2008  
Date of Signature

Commissioner for Patents  
Box 1450  
Alexandria VA 22313-1450

20 North Wacker Drive  
Chicago, Illinois 60606  
(312) 621-1330

**APPLICANTS' INTERVIEW SUMMARY**

Dear Sir:

The applicant sincerely appreciates Examiner Phasge's insight provided during the June 24, 2008 morning interview in this matter. Applicant submits that the interview's highlights were reiterated in the Amendment filed later that day. However, Applicant submits herewith a formal Statement, inasmuch as the Examiner's Interview Summary, mailed on July 1, 2008, requested a formal

written reply.

1) Brief Description of Exhibit(s). No exhibits exist.

2) Identification of Claims Discussed. A Draft Amendment was submitted prior to the Interview, said Amendment listing all of the pending claims and the proposed amendments thereto. Modifications to independent claims 1, 9, and 14 were discussed, related to the §103 rejections contained in the January 24, 2008 Official Action.

3) Identification of the Prior Art Discussed. Two patents are cited by the Examiner in the §103 rejection to the claims, specifically Mani (U.S.P. 6,627,016) and Scheder (U.S.P. 3,595,766).

4. Identification of the Principal Proposed Amendments of a Substantive Nature. The discussion of amendments to independent claims 1 and 14 centered around clarifying the existence of a product stream and reciting same. Examiner Phasge also suggested designating treatment of the byproduct moiety, and the Amendment reflects these recitations.

The Amendment was thought to highlight a salient feature of the invention whereby buffer is added to the product stream to neutralize by product acid or byproduct base, thereby facilitating continuous electrodialysis.

5. Brief identification of the General Thrust of the Principal Arguments Present to Examiner. Applicants argued that the selection of buffer results in an ED process with very little change in pH values. Specifically, the selection of buffer depends on the product being made in the acid-loop and/or base-loops of the ED stack. The buffer cation or anion is the feedstock of the targeted product.

The Applicant further reiterated that neither Mani nor Scheder, alone or combined, suggest using buffer whose components become part of the product. Rather, the prior art teaches away from adding buffer to product streams.

6.) General Indication Of Any Other Pertinent Matters: Examiner Phasge requested limiting the independent claims such that the recited method operates within two pH units. The Applicants have done this. As such, this limitation was made part of the amended claims filed on June 24, 2008.

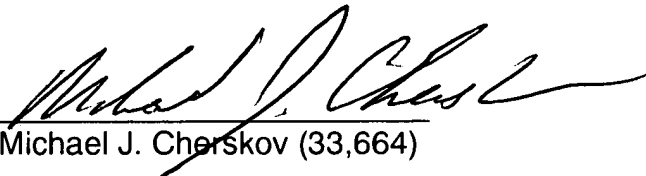
7.) General Results of Interview Outcome: The proposed Amendments as discussed by Examiner Phasge, Drs. Hryn and Krumdick, and Attorney Cherskov appeared to have removed the claims out from the ambit of the cited art. However, Examiner Phasge reserved the right to a final determination and or further examination.

An earnest attempt has been made hereby to provide a Statement of Substance of the June 24, 2008 Interview. Applicant reiterates that the above-mentioned points were contained in the Amendment filed that same day. A copy of that Amendment is enclosed herewith.

If the Examiner feels that a telephonic interview will facilitate allowance or further expedite prosecution, he is respectfully urged to contact the undersigned, prior to the issuance of another Official Action.

Respectfully submitted,

**CHERSKOV & FLAYNIK**

By:   
Michael J. Cherskov (33,664)